

***** PUBLIC DOCKET *****

**U.S. District Court
Southern District of Indiana (Evansville)
CIVIL DOCKET FOR CASE #: 3:23-cv-00039-RLY-MJD**

ELWANGER v. FINKELSTEIN et al
Assigned to: Judge Richard L. Young
Referred to: Magistrate Judge Mark J. Dinsmore
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 03/14/2023
Jury Demand: None
Nature of Suit: 555 Prisoner Petitions -
Prison Condition
Jurisdiction: Federal Question

Plaintiff

DOUGLAS J. ELWANGER

represented by **DOUGLAS J. ELWANGER**
163950
BRANCHVILLE - CF
BRANCHVILLE CORRECTIONAL
FACILITY
Inmate Mail/Parcels
21390 Old State Road 37
BRANCHVILLE, IN 47514
PRO SE

V.

Defendant

JASON FINKELSTEIN
Dr.

represented by **JASON FINKELSTEIN**
.
PRO SE

Defendant

WENDY KNIGHT
Warden

represented by **WENDY KNIGHT**
.
PRO SE

Defendant

I. RANDOLPH
Executive Grievance Specialist

represented by **I. RANDOLPH**
.
PRO SE

Defendant

JOHN HEFLIN
Dr.

represented by **JOHN HEFLIN**
.
PRO SE

Defendant

TINA COLLINS
RN

represented by **TINA COLLINS**
.
PRO SE

Defendant

DAVID GOBBER
HAS

represented by **DAVID GOBBER**
.
PRO SE

Defendant

ROBERT STAFFORD
Grievance Specialist

represented by **ROBERT STAFFORD**
.
PRO SE

Defendant

VERNON OSBORN
NP

represented by **VERNON OSBORN**
.
PRO SE

Date Filed	#	Docket Text
03/14/2023	<u>1</u>	COMPLAINT against TINA COLLINS, JASON FINKELSTEIN, DAVID GOBBER, JOHN HEFLIN, WENDY KNIGHT, VERNON OSBORN, I. RANDOLPH, ROBERT STAFFORD, filed by DOUGLAS J. ELWANGER. (No fee paid with this filing) (Attachments: # <u>1</u> Exhibit, # <u>2</u> Envelope)(JRB) (Entered: 03/15/2023)
03/14/2023	<u>2</u>	MOTION for Leave to Proceed in forma pauperis, filed by Plaintiff DOUGLAS J. ELWANGER. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Envelope)(JRB) (Entered: 03/15/2023)
03/15/2023	<u>3</u>	Notice to File Rule 7.1 Disclosure Statement. (RAGS) (JRB) (Entered: 03/15/2023)
03/15/2023	<u>4</u>	MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction issued. (JRB) (Entered: 03/15/2023)
03/21/2023	<u>5</u>	NOTICE to Pro se Litigant - The following information is provided to pro se litigants to inform them about rules and procedures governing how they communicate with the Court. (Copy sent to plaintiff via US mail). (JRT) (Entered: 03/21/2023)
03/21/2023	<u>6</u>	Order on Motion to Proceed In Forma Pauperis <u>2</u> The plaintiff Douglas J. Elwanger's motion for leave to proceed in forma pauperis, dkt. <u>2</u> , is denied. The plaintiff's trust account information reflects that he has sufficient funds to pay the full filing of Four Hundred and Two Dollars (\$402.00). He shall have through April 21, 2023, in which to pay this sum to the clerk of the district court. Copy to Plaintiff via US Mail. Signed by Judge Richard L. Young on 03/21/2023. (AAS) (Entered: 03/21/2023)
04/04/2023	<u>7</u>	NOTICE of Reassignment of Case to Magistrate Judge Mark J. Dinsmore. Magistrate Judge Matthew P. brookman is no longer assigned to this case. Please include the new case number, 3:23-cv-00039-RLY-MJD , on all future filings in this matter. (JRB) (Entered: 04/04/2023)
04/05/2023	<u>8</u>	CONSENT to Prisoner E-Service by DOUGLAS J. ELWANGER located at BRANCHVILLE CF. Pursuant to General Order 2013-1, documents submitted by DOUGLAS J. ELWANGER to the court for filing will generate a Notice of Electronic

		Filing that will constitute official service upon registered users of CM/ECF. If any parties to the case are not registered CM/ECF users, the Clerk of the Court will mail the document via U.S. Postal Service on behalf of the inmate. NOTE: The E-Filing Program does not affect the obligation of other parties to serve copies of documents in accordance with the Federal Rules of Civil Procedure. (AAS) (Entered: 04/05/2023)
04/05/2023	9	MOTION for Extension of Time to Pay Filing Fee, filed by Plaintiff DOUGLAS J. ELWANGER. (AAS) (Entered: 04/05/2023)
04/13/2023	10	MOTION for Extension of Time to Pay Filing Fee, filed by Plaintiff DOUGLAS J. ELWANGER. (JRB) (Entered: 04/13/2023)
04/13/2023	11	MOTION for Time to Pursue Counsel, filed by Plaintiff DOUGLAS J. ELWANGER. (JRB) (Entered: 04/13/2023)
04/20/2023	12	ORDER denying 11 Motion for Extension of Time to Pursue Counsel - The Clerk is directed to enclose a form motion for assistance recruiting counsel with Plaintiff's copy of this Order. If Plaintiff decides to file a motion asking the Court to assist him in recruiting counsel, he should use this form. Signed by Magistrate Judge Mark J. Dinsmore on 4/20/23. (Attachments: # 1 Motion to Appoint Counsel Form) (JRB) (Entered: 04/20/2023)
04/20/2023	13	ORDER GRANTING MOTIONS FOR EXTENSION OF TIME - Plaintiff's motions for extension of time, dks. 9 and 10 , are GRANTED. The deadline for Plaintiff to pay the \$402.00 filing fee in this case is extended up to and including May 22, 2023. Signed by Magistrate Judge Mark J. Dinsmore on 4/20/2023. (JRB) (Entered: 04/20/2023)
04/28/2023	14	MOTION to Appoint Counsel, filed by Plaintiff DOUGLAS J. ELWANGER. (Attachments: # 1 Exhibit)(JRB) (Entered: 04/28/2023)
04/28/2023	15	MOTION for Leave to Proceed in forma pauperis, filed by Plaintiff DOUGLAS J. ELWANGER. (Attachments: # 1 Exhibit)(JRB) (Entered: 04/28/2023)
05/03/2023	16	ORDER granting 15 Motion for Leave to Proceed in forma pauperis. Although Plaintiff is excused from pre-paying the full filing fee, he still must pay the three hundred and fifty (\$350.00) filing fee pursuant to the statutory formula set forth in 28 U.S.C. § 1915(b)(2) when able. (SEE ORDER.) Signed by District Judge Richard L Young on 5/3/2023. (TPS) (Entered: 05/03/2023)
05/31/2023	17	MOTION for Preliminary Injunction, filed by Plaintiff DOUGLAS J. ELWANGER. (JSR) (Entered: 05/31/2023)
07/07/2023	18	MOTION for Preliminary Injunction, filed by Plaintiff DOUGLAS J. ELWANGER. (Attachments: # 1 Exhibit, # 2 Envelope)(AAS) (Entered: 07/17/2023)
07/25/2023	19	Order Granting Motion for Assistance with Recruiting Counsel, Screening Complaint, Dismissing Insufficient Claims, and Directing Further Proceedings - Mr. Elwanger's motion for assistance with recruiting counsel, dkt. 14 , is granted to the extent that the Court will attempt to recruit counsel to represent him. His motions for preliminary injunction and order requiring discovery related to his request for preliminary injunction, dks. 17 and 18 , are denied without prejudice to being reasserted by recruited counsel if counsel deems such action to be appropriate. The clerk is directed pursuant to Fed. R. Civ. P. 4(c)(3) to issue process to defendants Knight, Randolph, Heflin, Collins, Gobber, Stafford, Osborn, Wexford, and Centurion in the manner specified by Rule 4(d). Process shall consist of the complaint, dkt. 1 , applicable forms

		(Notice of Lawsuit and Request for Waiver of Service of Summons and Waiver of Service of Summons), and this Order. The clerk is directed to serve Centurion and its employees electronically. The clerk is directed to serve Wexford electronically. The clerk is directed to serve IDOC employees electronically. SEE ORDER. Copy sent to distribution list via US Mail. Signed by District Judge Richard L Young on 7/25/2023. (JRB) (Entered: 07/25/2023)
07/25/2023	20	NOTICE of Lawsuit & Waiver Issued by Clerk as 1) Wendy Knight; 2) I. Randolph; 3) John Heflin; 4) Tina Collins; 5) David Gobber; 6) Robert Stafford; 7) Vernon Osborn; 8) Wexford Health of Indiana, LLC; 9) Centurion Health Services of Indiana (JRB) (Entered: 07/25/2023)
07/25/2023	21	Documents to be Sent via Electronic Notice - re 1 Complaint, 19 Order on Motion to Appoint CounselOrder on Motion for Preliminary Injunction, 20 NOTICE of Lawsuit & Waiver Issued by Clerk Electronic Notice to Wexford, IDOC, and Centurion. (JRB) (Entered: 07/25/2023)

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